

City of Englewood
City Council Work Shop
Meeting Minutes

October 24 2012 at 7:30pm

A Workshop Meeting of the Mayor and Council of the City of Englewood, Bergen County, New Jersey, was held in the 2nd Floor Conference Room, City Hall, 2-10 N. Van Brunt Street, Englewood commencing at 7:30 P.M.

Roll Call: Present: Council member Marc Forman
Council member Michael Cohen
Council member Eugene Skurnick
Council member Wayne Hamer
Mayor/Council President Frank Huttle III
City Manager Timothy Dacey
City Attorney William Bailey
City Clerk Lauren Vande Vaarst

Absent: Council member Lynne Algrant

President Huttle called the meeting to order.

The City Clerk stated that adequate notice of this meeting was given by the posting, filing and distribution of the notice as required by the Open Public Meetings Act.

Affirmation of Ordinances:

- o Ordinance #12-15
- o Ordinance #12-20
- o Ordinance #12-23
 - Bill Bailey reviewed the need for the Bond Ordinances to be affirmed as per the request of Bond Counsel.
 - Mayor and Council comments:
 - Council Skurnick asked about the tax exempt status of the Tax Appeal Bond Ordinance #12-23 because this type of ordinance is not treated the same as a Capitol Ordinance.
 - Ron Amorino, CFO, explained that he is putting together a Cash Flow Chart to be used by Bond Counsel to determine tax exempt status.
 - Mayor Huttle asked why the Bond would not be tax exempt.

Resolutions:

- o Certifying Review of Annual Audit by Governing Body and Group Affidavit
 - Bill Swisher, Auditor of Suplee, Clooney & Company reviewed the General Comments and Recommendations of the 2011 Audit Report
 - Discussion on the 2011 Audit ensued.
 - Mayor Huttle asked about the Fixed Asset Report and if items from the prior year's Corrective Action Report were taken care of.
 - Councilman Cohen asked if the items listed on the general Comments and Recommendations are typical of other municipalities as well.
 - Mr. Swisher explained that the City has no material deficiencies just some compliance issues.
 - Ron Amorino, CFO explained that everything will be resolved before the end of the year.
 - Councilman Skurnick asked questions on several items in the audit including Revenues, Equalized Values and School Debt, Liberty and Lincoln School Purchase, and Pension & Compensated Absences, and Tax Appeals.
 - Mayor Huttle again requested that item A3 be changed from "Mayor Salary & Wages" to read "Mayor and Council Salary & Wages" in order to be accurate.
 - Councilman Hamer would like a special session on bonding with Bond Counsel.

Ordinances:

- o AN ORDINANCE AMENDING SECTION 94-10 OF ARTICLE I OF CHAPTER 94 OF THE CODE OF THE CITY OF ENGLEWOOD RELATING TO CONSUMPTION OF ALCOHOLIC BEVERAGES AT RETAIL FOOD ESTABLISHMENTS
- o LEASE FOR DEPOT SQUARE STATION

RESOLUTION #199-10-24-12

**AUTHORIZING AWARD OF CONTRACT FOR CONCRETE STAIR REPLACEMENT
FOR ENGLEWOOD CITY HALL**

WHEREAS, sealed bids were received on September 11, 2012 for Concrete Stair Replacement for Englewood City Hall in accordance with specifications therefore and following public advertisement; and

WHEREAS, specifications were sent and responsible bids were received from two (2) bidders listed on the attached Bid Summary Sheet; and

WHEREAS, the bid submitted by B. Puntasecca Contractors, Inc., 210 Willow Avenue, Hackensack, New Jersey 07601 for the sum of \$149,000 was determined to be the low bid and is in compliance with the specifications; and based upon the recommendation of the City Engineer, can be accepted by the City Council; and

WHEREAS, this bid is awarded according to a fair and open process pursuant to PL 2004, c.19;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood that the bid submitted by B. Puntasecca Contractors, Inc. is hereby accepted; and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute an agreement between the City of Englewood and B. Puntasecca Contractors, Inc. for Concrete Stair Replacement for Englewood City Hall in accordance with the specifications therefore.

BE IT FURTHER RESOLVED that the Chief Financial Officer has certified that sufficient funds are available to award this contract; the City Manager is authorized to approve change orders in a sum not to exceed 20% of the contract price.

Funding for this project is available from the following sources:

- Ordinance 09-13(f)

<i>COUNCIL</i>	<i>MOTION</i>	<i>AYES</i>	<i>NAYS</i>	<i>ABSTAIN</i>	<i>ABSENT</i>
<i>Algrant</i>					X
<i>Forman</i>		X			
<i>Skurnick</i>		X			
<i>Cohen</i>		X			
<i>Hamer</i>	X	X			

RESOLUTION #200-10-24-12

RESOLUTION AUTHORIZING GRANT AGREEMENT FOR 2012-2013 FUNDING OF THE W. PALISADE AVENUE INFRASTRUCTURE IMPROVEMENTS PROJECT

BE IT RESOLVED, that the City Council of the City of Englewood wish to enter into a grant agreement with the U.S. Department of Housing and the Bergen County Board of Chosen Freeholders for the purpose of using a \$131,537 grant award from the 2012-2013 Funding for the project entitled W. Palisade Avenue Infrastructure Improvements;

BE IT FURTHER RESOLVED, that the City Council of the City of Englewood hereby authorize Timothy Dacey, City Manager to be a signatory to the aforesaid grant agreement Contract; and

BE IT FURTHER RESOLVED, that City Council of the City of Englewood hereby authorize Ronald Amorino, Chief Financial Officer to sign all County of Bergen Payment Vouchers submitted in conjunction with the aforesaid project; and

<i>COUNCIL</i>	<i>MOTION</i>	<i>AYES</i>	<i>NAYS</i>	<i>ABSTAIN</i>	<i>ABSENT</i>
<i>Algrant</i>					X
<i>Forman</i>		X			
<i>Skurnick</i>		X			
<i>Cohen</i>		X			
<i>Hamer</i>	X	X			

RESOLUTION #201-10-24-12

**AUTHORIZE REJECTION OF BID
"TRAFFIC SIGNAL MAINTENANCE"**

WHEREAS, sealed bids were received on October 4, 2012, for "Traffic Signal Maintenance" in accordance with specifications therefore and following public advertisement thereof pursuant to law; and

WHEREAS, three vendors' bids were properly received and opened, but additional detailed information is required to be submitted in regard to material costs and equipment; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Englewood, Bergen County, New Jersey, that all the bids received for "Traffic Signal Maintenance" be rejected and that the "Traffic Signal Maintenance" be rebid in accordance with specifications therefore and following public advertisement thereof pursuant to law.

<i>COUNCIL</i>	<i>MOTION</i>	<i>AYES</i>	<i>NAYS</i>	<i>ABSTAIN</i>	<i>ABSENT</i>
<i>Algrant</i>					X
<i>Forman</i>		X			
<i>Skurnick</i>		X			
<i>Cohen</i>		X			
<i>Hamer</i>	X	X			

Resolutions:

- o Authorize Insertion of an Item of Revenue and an Offsetting Item of Appropriation in the 2012 Budget – Take me Fishing Grant
- o Authorize Insertion of an Item of Revenue and an Offsetting Item of Appropriation in the 2012 Budget – 2009 Recycling Tonnage Grant
- o Authorize Insertion of an Item of Revenue and an Offsetting Item of Appropriation in the 2012 Budget – FY 2012 Clean Communities Grant
- o Authorize Insertion of an Item of Revenue and an Offsetting Item of Appropriation in the 2012 Budget – 4th Quarter 2011 Reach & Teach Grant
- o Authorizing Installation of Fire Hydrant
- o Renewal of Liquor License for 2012-2013
- o Cancellation of Old Outstanding Checks
- o Extension of Professional Services Contract with Edward J. Buzak, Esq.
- o Award of Contract for Wright Arena Heating Oil Underground Storage Tank (UST) Removal Project
- o Authorize the City of Englewood to join the Community Collaborative and the Northern New Jersey Community Foundation to apply for a Shared Services Feasibility Study Program Grant through Bergen County for Construction Office Services
- o Authorize Urban League for Bergen County to apply for Bergen County Community Development Block Grant Funds
- o Authorize Community Housing in Partnership to apply for Bergen County Community Development Block Grant Funds
- o Authorize North Hudson Community Action Corporation to apply for Bergen County Community Development Block Grant Funds
- o Authorize American Legion, Henry Douglas Post#58 to apply for Bergen County Community Development Block Grant Funds
- o A Resolution to Adopt the Provisions of Chapter 48 (N.J.S.A. 52:14.17.38) under which a Public Employer may agree to pay for the State Health Benefits Program (SHBP) coverage of certain Retirees
 - Reviewed by Tim Dacey and Arielle Saposh, HR Director.
 - Section #6- the City is required to pay 100% of the premium payments for medical coverage up front for all retirees with 15 years of service up to age 65 years, as well as for retiree's spouse. Resolution does not change City's responsibility to pay for the retiree and spouse but the manner in which it is paid. As of January 1, 2013 the State will deduct premium payments from the retiree's monthly pension payment to pay for coverage for spouse and/or dependent children. The City will then issue a check to reimburse retiree for cost of spousal coverage.
- o A Resolution to Withhold Health Benefit Reimbursement Payments for Retirees who owe the City money
 - City won an Arbitration award in which the arbitrator agreed that the City is obligated to pay premium payments for medical coverage for qualifying classified retirees, up to age 65 years old and their spouse but not dependent children. The City contacted the affected retirees to notify them that they need to reimburse the City going back to October 1, 2010. Once the billing change in the previous resolution has gone into effect on January 1, 2013, the City will not reimburse any retiree for spousal coverage until all reimbursements owed to the City for dependent coverage has been paid.

Items for Discussion:

- Best Practices:
 - o Looking to hold another joint meeting with the Board of Education and have a single agenda item which is the most important, Recreation programs and After 3 programs to be held at Liberty School and the Ice Arena.
- Traffic Advisory Committee recommendations:
 - o Place as Ordinances for First Reading/ Introduction on the October 30, 2012 Council Meeting.
- Waste Receptacles:
 - o Reviewed by Ken Albert.
 - o The purchase of new waste receptacles is to provide for a uniform look throughout the City and also for ease of maintenance and collection.
 - o Estimated cost for 117 units is \$86,000, and they will be purchased and installed through State Contract.

Public Session:

- No one from the Public came forward to speak.

RESOLUTION #202-10-24-12

PERMIT THE COUNCIL OF THE CITY OF ENGLEWOOD TO ENTER INTO CLOSED SESSION

BE IT RESOLVED by the Council of the City of Englewood, pursuant to the provisions of the Open Public Meetings Act, that the Council meet in closed session to discuss the following subject matter:

Litigation and Personnel

Which subject matter is permitted to be discussed in closed session pursuant to the following designated sub-section(s) of Section 7 of the Open Public Meetings Act:

- () Sub-section 1 dealing with material rendered confidential by express provision of Federal or State law.
- () Sub-section 2 covering a matter in which release of information would impair a right to receive federal funds.
- () Sub-section 3 involving disclosure of material which would constitute an unwarranted invasion of privacy, including material related to an individual's personal and family circumstances, without the express written consent of the individual involved.
- () Sub-section 4 pertaining to collective bargaining agreements and the terms, conditions, and negotiations thereof.
- () Sub-section 5 dealing with the acquisition of real property, the settling of bank rates, or the investment of public funds where discussion thereof would adversely affect the public interest.
- () Sub-section 6 dealing with tactics and techniques used in protecting the safety and property of the public where disclosure could impair such protection or investigation of violation of the law.
- (X) Sub-section 7 dealing with pending or anticipated litigation, contract negotiations, or matters falling within the attorney-client privilege.
- (X) Sub-section 8 dealing concerning personnel matters dealing with employment, appointment, termination, or terms and conditions of employment of any person or persons, or the evaluation, promotion or disciplining of employees unless all employees involved consent to disclosure thereof.
- () Sub-section 9 involving deliberations after public hearing on a matter which may result in the imposition of a civil penalty or the suspension or loss of a license.

AND BE IT FURTHER RESOLVED that, as precisely as can be determined at this time, the discussion conducted in the said closed session can be disclosed to the public upon taking final action thereon, provided disclosure shall not violate the attorney-client privilege or constitute an undue invasion of privacy; and

BE IT FURTHER RESOLVED that, although it is not envisioned that the Council will return to open session after this meeting, the Council reserves the right to do so upon conclusion of the closed session.

COUNCIL	MOTION	AYES	NAYS	ABSTAIN	ABSENT
<i>Algrant</i>					X
<i>Forman</i>		X			
<i>Skurnick</i>	X	X			
<i>Cohen</i>		X			
<i>Hamer</i>		X			

ADJOURN: 9:20 PM

Motion: Huttle
All in Favor

Lauren Vande Vaarst, RMC
City Clerk